

1 BILL NO. G-92-10- 26

2 GENERAL ORDINANCE NO. G- 46-92

3

4 AN ORDINANCE OF THE COMMON
5 COUNCIL OF THE CITY OF FORT
6 WAYNE, INDIANA AMENDING CHAPTER
7 7.5 OF THE MUNICIPAL CODE OF
8 THE CITY OF FORT WAYNE, INDIANA
9 ENTITLED "CABLE COMMUNICATIONS
10 SYSTEM."

11 WHEREAS, Section 7.5-8 of the Municipal Code of the City
12 of Fort Wayne, Indiana is in need of amendment.

13 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF
14 THE CITY OF FORT WAYNE, INDIANA THAT:

15 SECTION 1. Section 7.5-8(a) is hereby repealed and
16 replaced with the following language:

17 "Sec. 7.5-8. Rates and franchise payments.

18 (a) In consideration of the granting and exercise of a
19 franchise to use the streets, as herein defined, for the
20 operation of the cable communication systems, any franchisee
21 shall pay to the City, during the life of the franchise, the
22 following: Five (5) per cent of the franchisee's gross annual
23 subscriber receipts. Notwithstanding anything herein to the
24 contrary, such fees shall not exceed the maximum percentage as
25 allowed by federal law and/or any and all rules and
26 regulations thereof. For 1993 and 1994 only, all fees
27 collected and paid under this chapter shall be divided between
28 the dedicated cable television fund as defined in this
29 chapter, and the general fund of the City of Fort Wayne,
30 Indiana, with sixty (60), per cent being placed in the general
31 of the fund and forty (40) per cent allocated as follows:

32 (1) The sum of two hundred fifty thousand
33 dollars (\$250,000) to the dedicated cable
34 television fund;

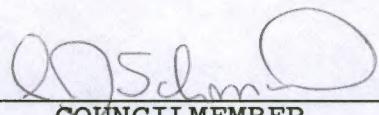
(2) An amount of said forty per cent (40%) up
to the sum of one hundred fourteen thousand
dollars (\$114,000) to the Bicentennial
Commission;

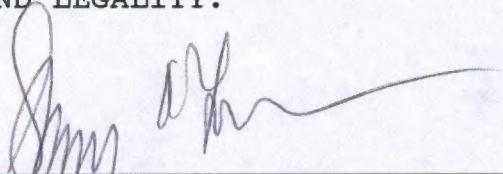
(3) Any excess over the sum of three hundred
sixty four thousand dollars (\$364,000) shall
be allocated to the dedicated cable television
fund;

(4) Quarterly receipts of said fees shall be
proportionally divided between the dedicated
cable television fund and the Bicentennial
Commission until the Bicentennial Commission
receives its full allocation.

For 1992 and beginning with 1995 and all subsequent
years, all fees collected and paid under this chapter
shall be divided between the dedicated cable television
fund, as defined in this chapter, and the general fund of
the City of Fort Wayne, Indiana, with sixty (60) per cent
being placed in the general fund of the City and forty
(40) per cent allocated to the dedicated television
fund."

1 SECTION 3. That this Ordinance is in full force and
2 effect from and after its passage and any and all
3 necessary approval by the Mayor.

4 
5 COUNCILMEMBER

6 APPROVED AS TO FORM
7 AND LEGALITY.
8 
9 Stanley A. Levine
10 Legal Advisor to
11 Fort Wayne Common Council
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Read the first time in full and on motion by Selma, and duly adopted, read the second time by title and referred to the Committee on Committee of the Whole (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on 19, the 19 day of October o'clock M., E.S.T.

DATED: 10-13-92

Sandra E. Kennedy /as
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Selma, and duly adopted, placed on its passage. PASSED LOSE by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>7</u>	<u>1</u>		<u>1</u>
BRADBURY		<u>✓</u>		
EDMONDS	<u>✓</u>			
GiaQUINTA	<u>✓</u>			
HENRY	<u>✓</u>			
LONG				<u>✓</u>
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 10-27-92

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Edgar E. Stoff, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. G-46-92 on the 27th day of October, 1992

ATTEST:

(SEAL)

Thomas E. Henry
PRESIDING OFFICER

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Edgar E. Stoff, Deputy Clerk
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of October, 1992, at the hour of 3:00 o'clock P., M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Edgar E. Stoff, Deputy Clerk

Approved and signed by me this 6th day of November, 1992, at the hour of 11:30 o'clock A M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

PETITION

We, the undersigned, residents of the City of Fort Wayne, Indiana, wish the Fort Wayne City Council to know that we oppose the diversion of monies from the "Dedicated Cable Television Fund" to the City for the purposes of funding salaries for the Bicentennial staff or for any other purpose. We urge the City Council to utilize other funding sources to meet the fiscal needs of the Bicentennial.

Marlene Messman	9032 Tillman Rd	Fort Wayne	46816
Linda Roberts	8117 Sakaden Pkwy	Ft. Wayne	46823
Bill Frederick	3617 Colorado Ct	Ft. Wayne	46815
Greg Duncan	4725 E State Blvd	Ft Wayne	46815
Visa Bowen	1839 Grover Avenue	Ft. Wayne	46809
Betty Yorky	7106 Tickey Run Dr	FW	46815
Gle G. Kay	8747 Candlelight Ct.	FW	46807
Deeley Acatma	16301 Canyon Ridge	46815	46765
Gregory L. Callin	1426 New England Dr.	FW	46815
Harry W Gates	3626 INDIANA AVE	FW	46807

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Marcus Turley 1920 BAYER AVE. F. WAYNE IN. 46803
Dorothy Miller 4235 River Bluff Ft Wayne 46835
Aaron Black 1605 Glencain Ft. Wayne 46815
Marilyn Eley 6925 Fairview Dr. F. W. 46815
Audrey Payne 2811 Archtree Pl. Ft. Wayne 46815
Norman Howell 1630 W. Holzepur Dr. Ft. Wayne 46804
Maya Kiser 5925 Thomas Ave Ft. Wayne. In 46815
Frank Boeth 6026 Landon plan, Fort Wayne 46815
Leona P. Dozant 2518 Eastbrook Dr, FW, IN 46805
Dorothy Bassett 6845 Woodcrest Dr. Fort Wayne, In. 46815
Kelly J. Lumbum, 6500 St. Joe Rd. #209, Fort Wayne IN 46835
Suzi Salini & James 3431 Amulet Dr. Fort Wayne In 46815
Mildred Gentry 1709 Kinnard Fort Wayne 46805
Donna Middleton 4832 Hatfield Road Fort Wayne 46808
P. Ankley 2314-3 Abbey Dr. Fort Wayne 46835
Rebecca K. Miller 2020-21 Kline Bush. Fort Wayne 46825
Pat Collins 19612 Springtree Way Ft. Wayne 46845
Pat Sjelds 2810 0 Willow Ft Wayne 46815
VAN COUFOUDAKIS 2402 OAKRIDGE RD F.W. 46805
Janet Clinch 10704 Countrywood Trail FW 46845
James P. Lang 6108 Crofton Dr FW 46855

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Name	Address	Zip Code
Mary Tiel	1728 Meridian	46808
Karen Tiel	" "	"
Louis V. Heny	660 18th St.	46808
Dee Kussey	654 Archer Ave	46808
Ken Borkin	1917 Cortland Ave	46808
Mark Nogel	6426 CENTERTON DR	46815
Orval Bork	12020 Wellington Ct.	46845
Selbyn Klesder	1717 Bernhard Dr	46815
Stephen J. Vestwick	201 E. Maple Grove Ave.	46806
Barry L. Clark	1207 Clark St	46808
Anne M. Clark	1207 Clark St	46808
Peg Ballard	918 Lillian Ave	46808
Kirk Battell	4034 Hampton Ave	46808
Patricia Brooks	1917 Cortland Ave	46808
John Jones	604 Archer Dr	46808
Mark H. Hurny	644 GREENLAWN	46807
Connie Deason	3710 SHERMAN	46808
Dan Gruber	2415 SHERMAN	" "
Stephen W. Weikert	1745 FRANKLIN	" "
Vernon W. Winter	630 Huffman St.	46808
Carol Winter	630 Huffman St.	46808

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<u>R Lohmuller</u>	<u>812 Huffman St.</u>	<u>46808</u>
<u>Shawn K. Welsch</u>	<u>201 E. Maple June</u>	<u>46806</u>
<u>Joan Shellen</u>	<u>703 Russell</u>	<u>46808</u>
<u>Mary Jo Watson</u>	<u>6229 Norththompson</u>	<u>46815</u>
<u>David E. Price</u>	<u>2623 Kenyter Rd.</u>	<u>46807</u>
<u>Jeffry P. King</u>	<u>2903 Henwood AVE</u>	<u>46805</u>
<u>Beth Baker</u>	<u>519 Villa Pk Ct</u>	<u>46808</u>
<u>Scott G.</u>	<u>519 Villa Pk. Ct.</u>	<u>46808</u>
<u>Kathleen Swank</u>	<u>650 GREEN LAWN A</u>	<u>46808</u>
<u>Donald</u>	<u>1628 Schilby</u>	<u>46808</u>
<u>Carol Glau</u>	<u>1617 Emerson</u>	<u>46808</u>
<u>Susie Adams</u>	<u>1628 Schilling</u>	<u>46808</u>
<u>Monica Gleason</u>	<u>3710 Sherman</u>	<u>46808</u>
<u>Kathy Adams</u>	<u>7820 Amber Rd</u>	<u>46804</u>
<u>Jolie Price</u>	<u>2406 Cardlewick</u>	<u>46804</u>
<u>Dulce Munguia</u>	<u>2512 Sherman</u>	<u>46803</u>
<u>Brenda F. Doty</u>	<u>660 Fifth St</u>	<u>46808</u>
<u>Elden Fagan-Pryor</u>	<u>345 W. Rockwood Ave</u>	<u>46807</u>
<u>Pat Struemph</u>	<u>1224 Wefel St.</u>	<u>46808</u>
<u>David Wawley</u>	<u>318 W. CORNELL CIRCH</u>	<u>46807</u>
<u>Margaret L. Haft</u>	<u>501 Fifth</u>	<u>46808</u>
<u>Charles W. Haft</u>	<u>501 FIFTH ST</u>	<u>46808</u>

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<u>Andrea Vacano</u>		
<u>Barry Deane</u>		
<u>Jessie Bloom</u>	1816 Romane Dr.	46808
<u>Tom Schall</u>	6019 Greenlaw Ave	46808
<u>Helen Wells</u>	2520 Repton Dr.	46815
<u>Heather D. Harber</u>	1033 PEMBERTON DR.	46805
<u>Jayne Pawlak</u>	6926 Chestnut Dr.	46815
<u>Ruby Gunkel</u>	4610 O'Day Rd.	46818
<u>Maryl Wau</u>	2929 White Oak Ave	46805
<u>Acaw Barnhart</u>	4120 S. ANTHONY	46816
<u>Ronald J. Duchovic</u>	6324 Melville Dr.	46816

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Ophelia Weitzman 1311 N Foster Hwy.
Dorothy Robinson 830 Woodview Blvd.
Julia Hart Hoon 3519 Summersworth Run
Mae L. Fisher (Mrs. Leo, R.) 6505 Winchester Rd.
Robert C Hollenbeck 4926 Vance Ave. 46815
Lucy W. Huffman 4801 Weiss Rd 06
Jeanne M. Mersing 3843 Wyandotte Drive 46815
S. Taylor 252 21 Washington City Rd.
Linda Babteau 2917 Hazelwood Ave 46805

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Gregg Schmitz 1030 Columbia Ave., Apt. C 46805

John M. Feider 2409 Bryan Avenue, Fort Wayne 46805
James D. French 903 Wesley Dr. Ft. Wayne 46807
Jim Z. Z. 1558 Knob Dr. New Haven 46724
Aaron K. Isajuloff 5140-12 Stonedodge Blvd. Fort Wayne, IN 46835
Matthew Johnson 1128 Summit St. New Haven, IN 46774
Jim Johnson 2612 Regal Ct. Ft. Wayne, IN 46815
Victor G. Hayes 9022 Hulser Rd. Leo, IN 46765
Steve Kropet
Howard Zellow 2104 Parkland, Fort Wayne, 46825
Don Smith 509 W. Eliza Ln. Ft. Wayne 46825
Matthew Brooks 6600 N. Clinton St. Ft. Wayne 46825
Brenda L. Knobell 812 Huffman St. FW 46808
Walter Jarrett 2701 Parmer Dr. FW 46805
~~Elizabeth McMahon~~ 4601 Jason Dr. FW 46835
Mike Mazzendino 6625 MONARCH DR. FT. WAYNE IN 46815
Robert M. Magda 4627 BRANDT CT. FT. WAYNE, IN 46835
Neogi B. Rogers 2517 Lillie St. Fort Wayne, IN 46803
John Bowser 7099-A SR327 Marett Jim 46738
B. Keith S. 3907 FAIRFIELD AVE FT WAYNE IN 46807
Mr. Zadok J. 6702 Ashbrook Ft. Wayne IN 46835
Jane Whitcraft 5601 Joyce Ave. Ft. Wayne IN 46818
~~Robert J. Shadlee~~ 4825 Wheatridge Rd. Ft. Wayne IN 46835
~~Jim Whitcraft~~ 1050 Northwood Blvd. F.W. IN 46805
Denise D. Cumbard 4628 Schmucker Dr. Fort Wayne IN 46835
~~John Johnson~~
Terry Deisinger 6018 N. Clinton Fort Wayne IN 46815
Todd Spry 4037 FAIRFIELD AVE. Fort Wayne IN 46807
Rachel Parr 407 THREE RIVERS E. FT. WAYNE IN 46802
Ken Balthasari 2917 Hazelwood Ft. Wayne, 46805 IN 46805
Cynthia Balthasari 1716 L.M. Ave. Ft. Wayne 46805
Catherine Dunnigan 1030 Maxine Dr. FT. WAYNE. IN 46807
Elmer Denman 6509 Sunland Dr. " IN 46815
Rosa Smoots 1725 Frenchman Crossing FT. WAYNE 46825
Brian Stover 6902 Wragglin Trail Ft. Wayne, IN 46835

BILL NO. G-92-10-26

REPORT OF THE COMMITTEE ON
THE COMMITTEE OF THE WHOLE

DONALD J. SCHMIDT, CHAIR
CLETUS R. EDMONDS, VICE CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON THE COMMITTEE OF THE WHOLE TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLVXION) OF THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA AMENIDNG CHAPTER 7.5 OF THE
MUNICIPAL CODE OF THE CITY OF FORT WAYNE, INDIANA ENTITLED
"CABLE COMMUNICATIONS SYSTEM"

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (RESOLUTION)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

DATED: 10-27-92.

Sandra E. Kennedy
City Clerk